

UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		Attorney Docket No. 1328-004A		22264 U.S. PTO 10/668871 	
		First Inventor Wayne P. FITZMAURICE			
		Title Interspecific <i>Nicotiana</i> Hybrids and Their Progeny			
		Express Mail Label: EV207752570US			

☒ **Assignee Information:** LARGE SCALE BIOLOGY CORPORATION

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Assistant Commissioner of Patents Box Patent Application Washington, D.C. 20231
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1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Applicant claims small entity status. 3. <input checked="" type="checkbox"/> Specification Total pages [26] <i>(preferred arrangement set forth below)</i> - Descriptive title of the invention - Cross references to Related Applications - Statement Regarding Fed sponsored R&D - Reference to sequence listing, a table or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings - Detailed Description - Claims - Abstract of the Disclosure 4. <input type="checkbox"/> Drawing(s) (35 USC 113) (Total Sheets) [] 5. <input checked="" type="checkbox"/> Oath or Declaration (Total Pages) [1] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i> [Note Box 5 below] i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, 6. <input checked="" type="checkbox"/> Application Data Sheet.	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program 8. Nucleotide and/or Amino Acid Sequence Submission a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statement verifying identity of above copies ACCOMPANYING APPLICATION PARTS 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i> <input type="checkbox"/> Power of Attorney 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 12. <input type="checkbox"/> Information Disclosure Statement /PTO 1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s). 16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). 17. <input checked="" type="checkbox"/> Other: Certificate of Express Mail EV207752570US
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17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below or in an application Data Sheet under 37 CFR 1.76::
☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/043,198
 Prior application information: Examiner David Kruse Group/Art Unit 1638
 For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

☒ Customer Number or Bar Code Label **32905**

Address Jondle & Associates PC 9085 East Mineral Circle, Suite 200					
City	Centennial	State	CO	Zip Code	80112
Country	U.S.A.	Telephone	303-799-6444	Fax	303-799-6898
Name Robert J. Jondle, Ph.D, Reg. No. 33,915					
Signature				Date September 18, 2003	

09/18/03 16367 U.S. PTO

**FEE TRANSMITTAL
for FY 2003
(Small Entity)**

Complete if Known

		Application Number	10/
		Filing Date	
		First Named Inventor	Wayne P. FITZMAURICE
		Examiner Name	
		Group Art Unit	
Total Amount of Payment	(\$375.00)	Attorney Docket Number	1328-004A

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 50-2368 in the name of Jondle & Associates P.C.
- ☐ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status.
2. ☒ Payment Enclosed:
- ☒ Check
- ☐ Credit Card

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Fee Paid	Fee Description	Fee Paid
2051	65	Surcharge - late filing fee or oath	[]
2052	25	Surcharge - late provisional filing fee or cover sheet	[]
1053	130	Non-English specification	[]
1812	2,520	For filing a request for reexamination	[]
1804	920	Requesting publication of SIR prior to Examiner action	[]
1805	1,840*	Requesting publication of SIR after Examiner action	[]
2251	55	Extension for reply within first month	[]
2252	205	Extension for reply within second month	[]
2253	465	Extension for reply within third month	[]
2254	725	Extension for reply within fourth month	[]
2255	985	Extension for reply within fifth month	[]
2401	160	Notice of Appeal	[]
2402	160	Filing a brief in support of an appeal	[]
2403	140	Request for Oral Hearing	[]
1451	1,510	Petition to institute a public use proceeding	[]
2452	55	Petition to revive -unavoidable	[]
2453	650	Petition to revive - unintentional	[]
2501	650	Utility issue fee (or reissue)	[]
2502	235	Design issue fee	[]
2503	315	Plant issue fee	[]
1460	130	Petitions to the Commissioner	[]
1807	50	Processing fee under 37 CFR 1.17(q)	[]
1806	180	Submission of Information Disclosure Statement	[]
8021	40	Recording each patent assignment per property (times number of properties)	[]
2809	375	Filing a submission after final rejection (37 CFR .129(a))	[]
2810	375	For each additional invention to be examined (37 CFR 1.129(b))	[]
2801	375	Request for Continued Examination (RCE)	[]
1802	900	Request for expedited examination of a design application	[]
1504	300	Publication fee for early, voluntary, or normal publication	[]
1505	300	Publication fee for republication	[]
1455	200	Filing an application for patent term adjustment	[]
1456	400	Request for reinstatement of term reduced	[]
		Other fee (specify)	[]

FEE CALCULATION

1. FILING FEE

Fee Code	Fee \$	Fee Description	Fee Paid
2001	375	Utility filing fee	[375.00]
2002	165	Design Filing Fee	[]
2003	260	Plant Filing Fee	[]
2004	375	Reissue Filing Fee	[]
2005	80	Provisional Filing Fee	[]

SUBTOTAL \$375.00

2. CLAIMS

Total Claims	Extra Claims	Fee	Fee Paid
[4] - 20** = [] x		\$ 9 = []	
Independent Claims [1] - 3** = [] x		42 = []	
Multiple Dependent Claims +		140 = []	

**or number previously paid, if greater;

SUBTOTAL \$

* Reduced by Basic Filing Fee Paid

SUBTOTAL \$

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Robert J. Jondle, Reg. No. 33,915		
SIGNATURE	DATE	September 18, 2003	DEPOSIT ACCOUNT USER ID